

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re:
MODERN MAGPIE, LLC,

Debtor.

Case No. 10-11083 (MG)
Chapter 11
ORDER OF RETENTION
OF COUNSEL

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Upon the annexed application of Chapter 11 Debtor Modern Magpie, LLC Digs, praying for authority to retain PAUL MILBAUER, under general retainer, to represent it as Debtor herein, and upon the annexed affirmation of PAUL MILBAUER, and it appearing that no notice of hearing on said petition should be given and no adverse interest having been represented, and the court having been satisfied that the said PAUL MILBAUER represents no interest adverse to the said Debtors, or their estate, in the matters upon which said attorney is to be engaged, and that the employment of said attorney is necessary and would be in the best interest of the Debtors, and that the case is one justifying a general retainer, it is

ORDERED, that the Debtor, be and hereby is authorized and empowered to employ and retain PAUL MILBAUER as its attorney to represent it as Debtors under a general retainer in the within proceedings under Chapter 11 of the Bankruptcy Code, and it is further

ORDERED, that compensation shall be paid only upon proper application to this court pursuant to 11 U.S.C. Section 330 and 331.

Dated: New York, N.Y.
April , 2010

U.S.B.J.

NO OBJECTION:

U.S. Trustee

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In Re:
MODERN MAGPIE, LLC,

Case No. 10-11083 (MG)
Chapter 11
PETITION

Debtor.
-----X

TO THE HONORABLE MARTIN GLENN BANKRUPTCY JUDGE:

The petition of Modern Magpie, LLC, the Debtor herein, respectfully
shows and alleges:

1. Your petitioners have filed a petition herein proposing to formulate a plan of reorganization under Chapter 11 of the Bankruptcy Code.
2. Your petitioner has been continued in possession of its business and property and has been authorized to operate and manage their business.
3. Your petitioner desires to employ PAUL MILBAUER, ESQ. as its counsel for the reason that he has had considerable experience in matters of this character and your petitioner believes that said attorney is well qualified to represent them as Debtor in this proceeding.
4. That the professional services which the attorney is to render are:
 - a) To give your petitioner legal advise with respect to its powers and duties as Debtor in the continued operation of its business and management of its property.
 - b) To take such steps as may be necessary to avoid liens against petitioner's property.
 - c) To take necessary actions to enjoin and stay, until a final decree herein, the institution of any proceedings by lien creditors to enforce liens upon the property of the petitioner.
 - d) To prepare all other legal documents and render services for your petitioner, as Debtor, which may be necessary.
5. Your petitioner, as Debtor, will require the services of an attorney to handle the matters set forth in the next preceding paragraph.

6. To the best of your petitioner's knowledge, PAUL MILBAUER has had no connection prior to the institution of this proceeding with creditors or any party of interest, or their respective attorneys

7. Your petitioner desires to retain PAUL MILBAUER under a general retainer because of the extensive legal services that may be required.

8. Said attorney represents no interest adverse to your petitioner, as Debtors or the estate in matters upon which he is to be engaged, and the employment of said attorney would be in the best interests of the estate.

9. That no receiver or Official Creditors Committee has been appointed herein.

WHEREFORE, your petitioner prays that it be authorized to employ and retain PAUL MILBAUER under a general retainer to represent them as Debtor in this proceeding under Chapter 11 of the Bankruptcy Code and that they may have such other and further relief as to this court seems just and for which no previous application has been made to this or any other Court or Judge.

Dated: New York, N.Y.
April 12, 2010

MODERN MAGPIE, LLC

By: s/Bhupindar S. Rajwans
Bhupindar S. Rajwans, President

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re:
MODERN MAGPIE, LLC,

Case No. 10-11083 (MG)
Chapter 11
AFFIRMATION

Debtor.
-----X

PAUL MILBAUER, an attorney duly admitted to practice in this Court states
under the penalties of perjury:

1. That he is an attorney at law and is duly admitted to practice before this court.
2. That he maintains an office for the practice of law at 90 John Street, Suite 304,
New York, N.Y. 10038.
3. That deponent has had no connection prior to the institution of the above
entitled proceeding with any party in interest herein or their attorneys and deponent's firm
is disinterested pursuant to 11 U.S.C. Section 327(a).
4. That your deponent represents that he does not and will not have an interest
adverse to the Debtor or its estate in the matters upon which deponent is to be engaged.
5. That deponent received a retainer in the amount of \$500.00 based upon an
hourly rate of \$250.00 to be substantiated at a later date by an application for allowances
pursuant to 11 U.S.C. section 330 and 331.

Dated: New York, NY
April 12, 2010

s/Paul Milbauer
PAUL MILBAUER (PM-8289)
Attorney for Debtor
90 John Street - Suite 304
New York, N.Y. 10038
212-227-8007